

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

TRACIE L. BROWN (CABN 184339)
Assistant United States Attorney

450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-6917
Fax: (415) 436-7234
E-Mail: tracie.brown@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JACQUILINE HOEGEL,

Defendant.

No. CR 12-111 EMC

STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING AND
EXCLUDING SPEEDY TRIAL TIME (18
U.S.C. § 3161)

Counsel for the United States and counsel for Defendant Jacqueline Hoegel appeared on March 6, 2012 for a status hearing in the District Court, all time having previously been excluded under the Speedy Trial Act. At that hearing, counsel for the United States stated that the government had recently produced over 77,000 pages of documents, and that there were approximately 150 boxes of seized or subpoenaed items and more than 7 hard drives that defense counsel needed to review. Based on the nature of the charges, that proffer relating to the volume of discovery, and the agreement of counsel for Defendant Hoegel, the Court found that this case is properly designated as complex pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(ii), and that time should also be excluded based on effective preparation and continuity of counsel pursuant to 18

STIP. & [PROPOSED] ORDER
CR 12-111 EMC

1 U.S.C. § 3161(h)(7)(A) & (B)(iv). In addition, counsel for the United States explained that co-
2 Defendant William Wise is not currently in the United States, and his exact whereabouts were
3 unknown. Based on that proffer as to the co-Defendant's status and the agreement of counsel for
4 Defendant Hoegel, the Court found that time is properly excluded on the additional basis set
5 forth in 18 U.S.C. § 3161(h)(3)(A).

6 The Court further set a status date of June 27, 2012 at 2:30 p.m.

7 SO STIPULATED.

8 DATED: April 10, 2012

Respectfully submitted,

9 MELINDA HAAG
United States Attorney

10 /s/
11 TRACIE L. BROWN
Assistant United States Attorney

12 DATED: April 10, 2012

13 /s/
14 BRIAN BERSON
Attorney for Defendant Jacqueline Hoegel

15 **[PROPOSED] ORDER**

16 For good cause shown and based on the parties' representations and agreement at the
17 March 6, 2012 hearing and as set forth herein, the Court finds that failing to exclude the time
18 between March 6, 2012 and June 27, 2012 would unreasonably deny the Defendant and
19 government continuity of counsel, and would deny both counsel the reasonable time necessary
20 for effective preparation, taking into account the exercise of due diligence. 18 U.S.C.
21 § 3161(h)(7)(B)(iv). The Court further finds that, in light of the nature of the charges and the
22 volume of discovery, the case is properly designated as complex pursuant to 18 U.S.C.
23 § 3161(h)(7)(B)(ii). In addition, the Court finds that time is properly excluded based on the
24 unavailability of co-Defendant William Wise. 18 U.S.C. § 3161(h)(3)(A). For all of these
25 reasons and as set forth on the record at the March 6, 2012 hearing, the Court finds that the ends
26 of justice served by excluding the time between March 6, 2012 and June 27, 2012 from
27 computation under the Speedy Trial Act outweigh the best interests of the public and Defendant
28

1 Jacqueline Hoegel in a speedy trial. Therefore, IT IS HEREBY ORDERED that the time between
2 March 6, 2012 and June 27, 2012 shall be excluded from computation under the Speedy Trial
3 Act. 18 U.S.C. § 3161(h)(3)(A), (h)(7)(A), (h)(7)(B)(ii) & (B)(iv).

4
5 DATED: 4/12/12 _____

